

Referral of proposed action

Project title: Subdivision of 100 Vineyard Road

1 Contacts

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- 1.1 **Referring party** Person, agent or agency who is making the referral

Keith Altmann & Associates

Civil & Structural Engineers

65 O'Shannassy Street

PO Box 351

Sunbury, Vic

3429

Direct Contact: **Keith Altmann**

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- 1.2 **Responsible party** Person responsible for or who will carry out the proposed action.
If same as 1.1, write 'as above'

As above

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- 1.3 **Proponent** Person responsible for preparing assessment documentation, if approval is required. If same as 1.2, write 'as above'

Agent - Keith Altmann

Keith Altmann & Associates

Civil & Structural Engineers, Town Planners

65 O'Shannassy Street

PO Box 351

Sunbury, Vic

3429

2 Summary of proposed action

NOTE: You must attach an A4 size map/plan(s) showing the location and approximate boundaries of the area in which the project is to occur. The summary below should encompass any alternative locations, timeframes or activities that are listed in Section 3.2.

2.1 Short description

Proposal to subdivide and develop a property, formerly used for grazing purposes, into a residential estate complete with all civic infrastructure.

2.2 Latitude and longitude

location point	Latitude			Longitude		
	degrees	minutes	seconds	degrees	minutes	seconds
Sunbury	37	35	27	144	42	20

2.3 Locality

Sunbury, Victoria

2.4 Size of the development footprint or work area (hectares)

118 hectares

2.5 Street address of the site

100 Vineyard Road, Sunbury, Victoria, 3429

2.6 Lot description

Lot 2 on PS507172U

2.7 Local Government Area and Council contact (if known)

City of Hume - Michael Sharp

2.8 Project life

Estimated start date is 2009 and project life is estimated at 15 years.

2.9 Alternatives

<input type="checkbox"/>	No
<input type="checkbox"/>	Yes, complete section 3.2

2.10 State assessment

<input type="checkbox"/>	No
<input type="checkbox"/>	Yes, complete Section 3.5

2.11 Component of larger action

<input type="checkbox"/>	No
<input type="checkbox"/>	Yes, complete Section 3.6

3 Detailed project description

NOTE: The proposal described here is the action(s) on which ALL subsequent decisions under the EPBC Act will be made, including decisions on significance, level of assessment (if needed) and approval (if needed). It is therefore important that the description is complete and includes all components and activities associated with the action, as well as any specific alternatives to be assessed. If certain related components are not intended to be included within the scope of the referral, this should be clearly explained in Section 3.6.

3.1 Description of proposal

The action involves the development of land formerly used for grazing into a residential development including associated civil infrastructure. The project site is zoned Residential 1 Zone (R1Z) and is within the City of Hume. The property is located approximately 30 km to the North West of Melbourne, Victoria (Please refer to Maps located appendices).

The project area encompasses approximately 118 hectares. The site has been proposed for residential development since the early 1990's. It lies within the Urban Growth Boundary and provides a key arterial bypass road link to the west of central Sunbury. It is proposed to develop the site as predominately residential with a minor mixed use component and with an emphasis on sustainability.

3.2 Alternative locations, time frames or activities that form part of the referred action

Not applicable

3.3 Previously considered alternatives and the 'do nothing' case

The do nothing case would be to leave property as an impediment to further residential development which has already been undertaken within the surrounding areas. The property is zoned Residential 1 (R1Z). In particular, the arterial road bypass which has been a concept of the future planning for Sunbury since the 1970's would be prejudiced and links with existing development which need to be completed will remain unbuilt, leading to undesirable consequences such as greatly increased traffic past the local college, a proposed primary school and along roads that are not designed to carry additional traffic, as the planning of the road linkages preceded the environmental requirements.

3.4 Context, planning framework and state/local government requirements

- City of Hume Planning Schemes
- Victoria's Native Vegetation Framework
- Flora and Fauna Guarantee Act 1988
- Council draft strategy plan - provides framework for development (1993).

3.5 Environmental impact assessments under Commonwealth, state or territory legislation

- A Botanical Assessment and Habitat Significance of 100 Vineyard Rd, City of Hume – Greybox and Grassland Indigenous Nursery and Ecological Consulting, 2004
- A Short Report into the Habitat Hectare Value and Net Gain Analysis of Habitat Zone PG4 - Greybox and Grassland Indigenous Nursery and Ecological Consulting, 2005
- Presence of *Synemon plana* (Golden Sun Moth) at 100 Vineyard Rd Sunbury - Greybox and Grassland Indigenous Nursery and Ecological Consulting, 2006

- Targeted Fauna Search Delmar impar – Striped Legless Lizard, 100 Vineyard Rd Sunbury - Greybox and Grassland Indigenous Nursery and Ecological Consulting, 2007
- Second Report January 2008 - presence and Density of Synemon plana (Golden Sun Moth). Population at 100 Vineyard Road, Sunbury. Greybox and Grassland Indigenous Nursery and Ecological Consulting, April 2008

3.6 A staged development or component of a larger project

Proposal is that the site be developed over a period of about 15 years. As with all residential developments, this will be undertaken in small stages, which could total about 40 in all.

NOTE: The Minister for the Environment, Heritage and the Arts may not accept a referred action that is a component of a larger action and may request the person proposing to take the action to refer the larger action for consideration under the EPBC Act (Section 74A, EPBC Act).

If you wish to make a referral for a staged or component referral, read 'Fact Sheet 6 Staged Developments/Split Referrals' and contact the EPBC Act Referrals Section (1800 803 772).

4 Affected environment

NOTE: You must attach a map(s)/plan(s) clearly showing the location of the action in relation to any matters of national environmental significance

4.1 Matters of national environmental significance

4.1 (a) World Heritage Properties

The project site is not within or near any World Heritage Properties and is hence going to have no impact on any listed properties.

4.1 (b) National Heritage Places

There are no National Heritage places within approximately 70 km according to the Interactive Map system found on the EPBC Act website.

4.1 (c) Wetlands of International Significance (Ramsar)

A RAMSAR wetland exists 40km (Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Wetland) to the south of the project site. Due to the distance and direction of water flows of the project site, development will likely have no impact on this RAMSAR wetland.

4.1 (d) Listed threatened species and ecological communities

Field assessments were conducted onsite firstly targeting flora on the property. Requests were made for targeted fauna surveys from the relevant authority (Department of Sustainability and Environment) including surveys for *Delmar impar* Striped Legless Lizard and *Synemon plana* Golden Sun Moth. The targeted survey for *Delmar impar* did not find any individuals present on the property. A targeted survey for *Synemon plana* found a small population present during both survey periods (November-December 2006 and November-December 2007). Please refer to Appendices for described assessments.

A total of 17 species were listed on the EPBC Act Protected Matter Report generated on the 7th March 2008 9:50. Due to past management activities, such as tree clearing and grazing, the project site has limited habitat opportunity for these species with the exception of the Striped Legless Lizard. As previously stated, a survey for this species did not confirm its presence on the project site.

4.1 (e) Listed migratory species

According to the EPBC Act Protected Matters Report, listed terrestrial migratory species of concern for the project site include:

- | | |
|---------------------------------|---------------------------|
| ▪ <i>Haliaeetus leucogaster</i> | White-bellied Sea Eagle |
| ▪ <i>Hirundapis caudacutus</i> | White-throated Needletail |
| ▪ <i>Merops ornatus</i> | Rainbow Bee-eater |
| ▪ <i>Myiagra cyanoleuca</i> | Satin Flycatcher |
| ▪ <i>Rhipidura rufifrons</i> | Rufous Fantail |
| ▪ <i>Xanthomyza phrygia</i> | Regent Honeyeater |

The project site development is unlikely to have an effect on any of the species listed above.

4.1 (f) Nuclear actions

No nuclear actions are to be taken due to development of project site.

4.1 (g) Commonwealth marine areas

The site lies approximately 32 km at its closest point to Port Phillip Bay and approximately 76 km from Bass Strait at its closest point. Due to its remote location, there is little chance that it will affect any Commonwealth marine areas.

4.2 Important or unique aspects of the environment, if relevant

4.2 (a) Soil and vegetation characteristics

The project site lies in the Victorian Volcanic Plains Bioregion (VVP). Part of the project site lies on a northern aspect slope, which displays many characteristics of the volcanic mountains that characterize the district around Sunbury. The plains in these areas are covered with alluvial deposits that are in many places overlain by lava flows (chiefly basalt).

Vegetation of the project displays characteristic typical of this bioregion. The vegetation type onsite has been identified as Ecological Vegetation Classes:

- EVC 132_61 *Heavier-soils* Plains Grassland
- EVC 55_61 Plains Grassy Woodland
- EVC 803 Plains Woodland
- EVC 125 Plains Grassy Wetland

The land management on the land has affected the quality of these vegetation types. The initial vegetation assessment of Gagin Pty Ltd 2004 divided the area up into quality zones. The majority of the native vegetation in the project area is modified and contains a mixture of grazing resistant natives and introduced species. Please refer to Appendix 2 for vegetation assessments.

4.2 (b) Water flows, including rivers, creeks and impoundments

There is one seasonal drainage line (Harpers creek) which runs east into Jackson's Creek, which eventually flows into the Maribyrnong River and finally into Port Phillip Bay. The drainage line is subject to grazing and is generally modified containing some patches of native vegetation. One farm dam occurs along the drainage line to the south west of the property.

Water Sensitive Urban Design principals and practices are to be used to protect water quality both during development and residential runoff and will be required by Melbourne Water and Hume Council.

4.2 (c) Outstanding natural features, including caves

The area contains patches of low-moderate quality native vegetation, which has been identified in flora assessments undertaken on the property. The vegetation provides habitat opportunity and four different EVC have been found onsite as identified in Victoria's Native Vegetation Framework. All four of these EVCs have are listed as Endangered vegetation types. Areas are set to be set aside from development are shown on the Urban/Open Space plan.

Of the areas shown which will not be developed residentially, it is expected the following uses will occur (refer to Urban/Open Space plan):

Area A - total area is 13.5 hectares. It is proposed this be retained as native grassland and included in a conservation area. The native grass has a very high conservation rating.

Area B - total of 3.0 hectares. This will be used as a conservation area and is located on an escarpment.

Area C - total of 1.3 hectares. This area will be used for active open space and while there is moderate native grass cover, it is expected this would be heavily modified.

Area D - total area of 0.4 hectares. As for area C.

Area E - total area of 7.3 hectares. This area is along the Harpers Creek watercourse and a width of at least 70 metres will be retained with the current EVC and conservation score being maintained.

4.2 (d) Gradient

This varies over the whole site from flat to 5% in area A, to slopes of 25% in area E (escarpment).

4.2 (e) Buildings or other infrastructure

The only buildings are unaffected by this proposal - existing house and curtilage in the south east corner.

4.2 (f) Marine areas

The site is remote from any areas of Commonwealth marine areas and none appear close according to the EPBC Interactive Mapping System found on the EPBC website.

4.2 (g) Kinds of fauna

The project site contains common fauna that can be found within the surrounding farming land and residential developments. The exception being the critically endangered *Synemon plana* Golden Sun Moth, which has been located on the property through targeted surveys.

4.2 (h) Current state of the environment

The project site contains areas of native vegetation varying in quality and size due to previous land management practices, most notable cattle grazing. These areas are described in attached documents, specifically botanical assessments. These native vegetation areas are considered to be highly modified. As such they contain less native biodiversity than their original 'pristine' condition and are currently supporting exotic weed species. Noxious weeds species significant in Victoria and Australia that are present on the property include Chilean Needle Grass *Nassella neesiana*, Serrated Tussock *Nassella trichotoma*, African Boxthorn *Lycium ferocissimum* and Artichoke Thistle *Cynara cardunculara*.

Rabbits are the only noted pest animal on the property.

4.2 (i) Commonwealth Heritage Places and places on the Register of the National Estate

The EPBC Act Protect Matters Report states that there are no Commonwealth Heritage Places or places listed on the Register of the National Estate likely to be impacted by the development of the project site.

4.2 (j) Known Indigenous heritage values

There are no known indigenous heritage values within the site. There are sites about one kilometre downstream, east of the land.

4.2 (k) Other important or unique values of the environment

The property contains a small population of the critically endangered *Synemon plana* Golden Sun Moth. The population was first found in November-December 2006 and again in November-December 2007. The population was compared to other known populations during the survey period of 2007 and was established that the population was small and individuals were greatly dispersed.

4.2 (l) Tenure of the action area (eg freehold, leasehold)

Freehold

4.2 (m) Existing land uses

A residential dwelling exists in the southeast corner of the property. The land has a history of cattle grazing.

4.2 (n) Proposed land uses

Generally, as shown on the Urban/Open Space plan. The dominant use is for a range of residential dwellings and densities, with some active open space and passive open space areas (A, B and E).

The final configuration is still the subject of discussions with the Department of Sustainability, VicRoads and Hume Council, but the current plan represents the evolution to date.

5 Nature and extent of likely impacts

5.1 Likely impacts on matters of national environmental significance (NES)

5.1 (a) Likely impact on the world heritage values of a declared World Heritage property

There are no likely impacts on World Heritage values. None are listed on the EPBC Act Protected Matters Report. The project site is remote from any World Heritage Properties.

5.1 (b) Likely impact on the heritage values of a listed National Heritage place

The project site is not within a National Heritage place and is approximately 70 km from the closest National Heritage Park, the Castlemaine Diggings National Heritage Park. Development actions are unlikely to have an impact on this site.

5.1 (c) Likely impact on the ecological character of a declared Ramsar wetland

The project site lies approximately 40 km from the nearest RAMSAR wetland (Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Wetland) and it is unlikely that development will have any impact on this RAMSAR wetland.

5.1 (d) Likely impact on the members of a listed threatened species or ecological community, or their habitat

A targeted survey for the presence of Golden Sun Moth was undertaken at the behest of Department of Sustainability and Environment. The survey was designed to encompass time periods when the moth would be most active, November-December. The survey was designed and conducted by Gagin Pty Ltd and numerous moths were captured, identified and released during a two separate survey periods conducted during 2006 and 2007. All individuals captured and sighted were males. The population is considered to be small in comparisons to other known populations of Golden Sun Moth, most notable the population found at Craigieburn Grasslands National Park. The moth is highly specialised and grassland inhabitant and occurs in grasslands that are predominantly *Austrodanthonia sp.* Wallaby grass, of greater than 40% coverage.

Although the property has a recent history of heavy cattle grazing, *Austrodanthonia sp.* is present across the majority of the site. However it does not necessarily exist in dominant coverages of 40% across the whole site.

An immediate impact is expected on the populations of Golden Sun Moth as its overall habitat size will be significantly reduced and hence effecting the population size and carrying capacity the area.

A total of 16.5 hectares in areas A and B will be kept as conservation reserves, and the area shown as E will have the EVC values retained but will have a significant intrusion of human activity.

5.1 (e) Likely impact on the members of a listed migratory species or their habitat

Impacts on migratory species listed previous in the report (section 4.1 (e)) are likely to be negligible as a result of development actions on the project site. There is limited habitat opportunities on site for listed species and it is unlikely that any significant populations of these species utilise any areas on the property.

5.1 (f) Likely impact on the environment in part of the Commonwealth marine area

There is likely to be any impact from development actions on Commonwealth marine areas due to remote location to coastal areas.

5.2 Likely impacts for nuclear actions, actions affecting Commonwealth land or actions taken by the Commonwealth

None.

6 Measures to avoid or reduce impacts

Areas A and B are to be retained as conservation areas, with measures being implemented to improve the conservation score through a management plan for these sites. These areas contain the most significant areas of Wallaby grass. The proximity of residential development around these areas will have an indirect impact on fauna values.

There will need to be an approved Conservation Management Plan (CMP) to comply with Department of Sustainability and Environment requirements and the landowner will need to maintain the land for 10 yrs in accordance with the CMP before council takes over. The CMP will normally cover management of vermin, weeds, and control intrusions, as well as any measures to improve the site score, in the context of the Native Vegetation Framework. The area within the CMP will be recorded in a register and normally also a legal agreement that runs with the land. It could also be expected that in due course the Council would change the zoning to reflect the conservation status.

The need to achieve road connectivity between existing residential development which were planned before the current environmental requirements arose is a particularly vexing issue in the case of this site. The proposals outlined are considered to represent a reasonable outcome, given the history of the area and decisions made in other localities such as Eynesbury, near Melton, where there was no prior abutting residential development.

7 Conclusion on the likelihood of significant impacts

NOTE: Under the EPBC Act, you must identify in the referral whether or not you believe significant impacts on the matters protected under the Act are likely. If you identify that significant impacts are likely, you must identify the relevant protected matters in section 7.2.

Do you THINK your proposed action is likely to have significant impacts?

- No, complete section 7.1
- Yes, complete Section 7.2

7.1 Proposed action is NOT LIKELY to have significant impacts

Key reasons

The proposed action will have impacts on a threatened species but will not have significant impacts. The species in question, the Golden Sun Moth, was predominantly located on the rocky escarpment and grassy wetland flats areas of the property. These areas are unlikely to be developed as heavily as the other areas of the project site. A proposal also exists to provide a grassy wetland within area A which will provide an attraction for the moth in an area which will be retained.

The population size of Golden Sun Moth on the project site, in comparison to other known populations, is small and individuals were more dispersed than seen in larger populations. It is likely to impact the population on site but have a significant impact in the overall species population.

7.2 Proposed action is LIKELY to have significant impacts

Matters likely to be impacted

- sections 12 and 15A (World Heritage)
- sections 15B and 15C (National Heritage places)
- sections 16 and 17B (Wetlands of international importance)
- sections 18 and 18A (Listed threatened species and communities)
- sections 20 and 20A (Listed migratory species)
- sections 21 and 22A (Protection of the environment from nuclear actions)
- sections 23 and 24A (Marine environment)
- sections 26 and 27A (Protection of the environment from actions involving Commonwealth land)
- section 28 (Protection of the environment from Commonwealth actions)

Key reasons

8 Assessment approach under the EPBC Act

NOTE: If a decision is made that a proposal needs approval under the Act, the Minister will also decide the assessment approach needed to satisfy the objectives of the Act. While the information you have provided in this referral will be taken into account in making this decision, the final decision rests with the Minister.

Level of assessment

<input type="checkbox"/>	Bilateral Agreement applies
<input type="checkbox"/>	Accredited assessment
<input type="checkbox"/>	Assessment on referral information
<input type="checkbox"/>	Preliminary information
<input type="checkbox"/>	Public Environment Report
<input type="checkbox"/>	Environmental Impact Statement
<input type="checkbox"/>	Commission of Inquiry
<input type="checkbox"/>	No comment/Not sure

Key reasons

9 Environmental history of the responsible party

NOTE: The EPBC Act Regulations provide for the environmental history of the party proposing to take the action to be taken into account when deciding the assessment approach for actions that need approval under the Act.

	Yes	No
<p>9.1 Does the party taking the action have a satisfactory record of responsible environmental management.</p> <ul style="list-style-type: none"> • If Yes, provide details • Landowner has won Landcare awards fro management of his grazing property. 	√	
<p>9.2 Is the party taking the action subject to any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources?</p> <ul style="list-style-type: none"> • If Yes, provide details 		√
<p>9.3 For an action for which a person has applied for a permit under the EPBC Act, is the person making the application subject to any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources?</p> <ul style="list-style-type: none"> • If Yes, provide details 		√
<p>9.4 If the party taking the action is a corporation, will the action be taken in accordance with the corporation's environmental policy and planning framework?</p> <ul style="list-style-type: none"> • If Yes, provide details of environmental policy and planning framework 		√

10 Information sources and attachments

10.1 References

- *EPBC Act Protected Matters Report for property 100 Vineyard Road*, Department of Environment, Water, Heritage and the Arts website – www.environment.gov.au/epbc/ - Generated 7th March 2008, 9:50am
- Interactive Mapping System, Department of Environment, Water, Heritage and the Arts website – www.environment.gov.au/epbc/ - viewed 7th March 2008

10.2 Reliability of information

10.3 Attachments

You must attach	figures, maps or aerial photographs showing the project locality (section 2)	✓
	figures, maps or aerial photographs showing the location of the project in respect to any matters of national environmental significance or important features of the environments (section 4)	✓
If relevant, attach	copies of any state or local government approvals and consent conditions (section 3.4)	✓
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 3.5)	✓
	copies of any flora and fauna investigations and surveys (section 4)	✓
	technical reports relevant to the assessment of impacts on protected matters and that support the arguments and conclusions in the referral (section 4 and 5)	✓
	report(s) on any public consultations undertaken, including with Indigenous Stakeholders (section 4)	→

11 Signatures and declarations

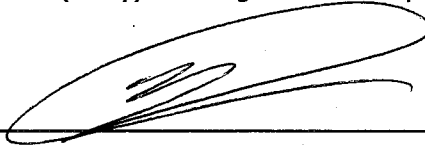
NOTE: Providing false or misleading information is an offence punishable on conviction by imprisonment and fine (Section 489, EPBC Act).

Project title

11.1 **Party who prepared the referral**

I declare that the information contained in this form is, to my knowledge, true and not misleading. I request that the person named in 11.3 below (if any) be designated as the proponent for the action.

Signature



Date

21-04-08

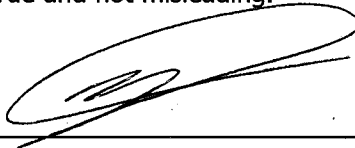
Full name

Keith Graham Altmann

11.2 **Party who is responsible for action**

I declare that the information contained in this form is, to my knowledge, true and not misleading.

Signature



Date

21-04-08

Full name

Keith Graham Altmann

11.3 **Proponent (complete only if different from 11.2)**

I, being the person nominated in Section 1.3 of this referral form as the nominated proponent (or agent acting on behalf of), agree to be designated as the proponent for the action described above if it is decided that the action requires approval under Part 9 of the EPBC Act.

Signature

Date

Full Name

If the referring party is a small business (fewer than 20 employees), estimate the time, in hours and minutes, to complete this form (include your time reading the instructions, working on the questions and obtaining the information and time spent by all employees in collecting and providing this information).

Hours	Minutes
80	



DESIGNED	C. CHAHOUD	CLIENT	T. MILLETT
CHECKED	K. ALTMANN	MELWAY REFERENCE	MAP 382 AB
DATE	24/01/07	AUTOCAD FILE NAME	03207-Urban-Open Space.dwg
REF	REVISION	DATE	APP'D

KEITH ALTMANN AND ASSOCIATES
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PROJECT
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 BOUNDARIES
 ROSENTHAL ESTATE

100 VINEYARD ROAD
 SUNBURY

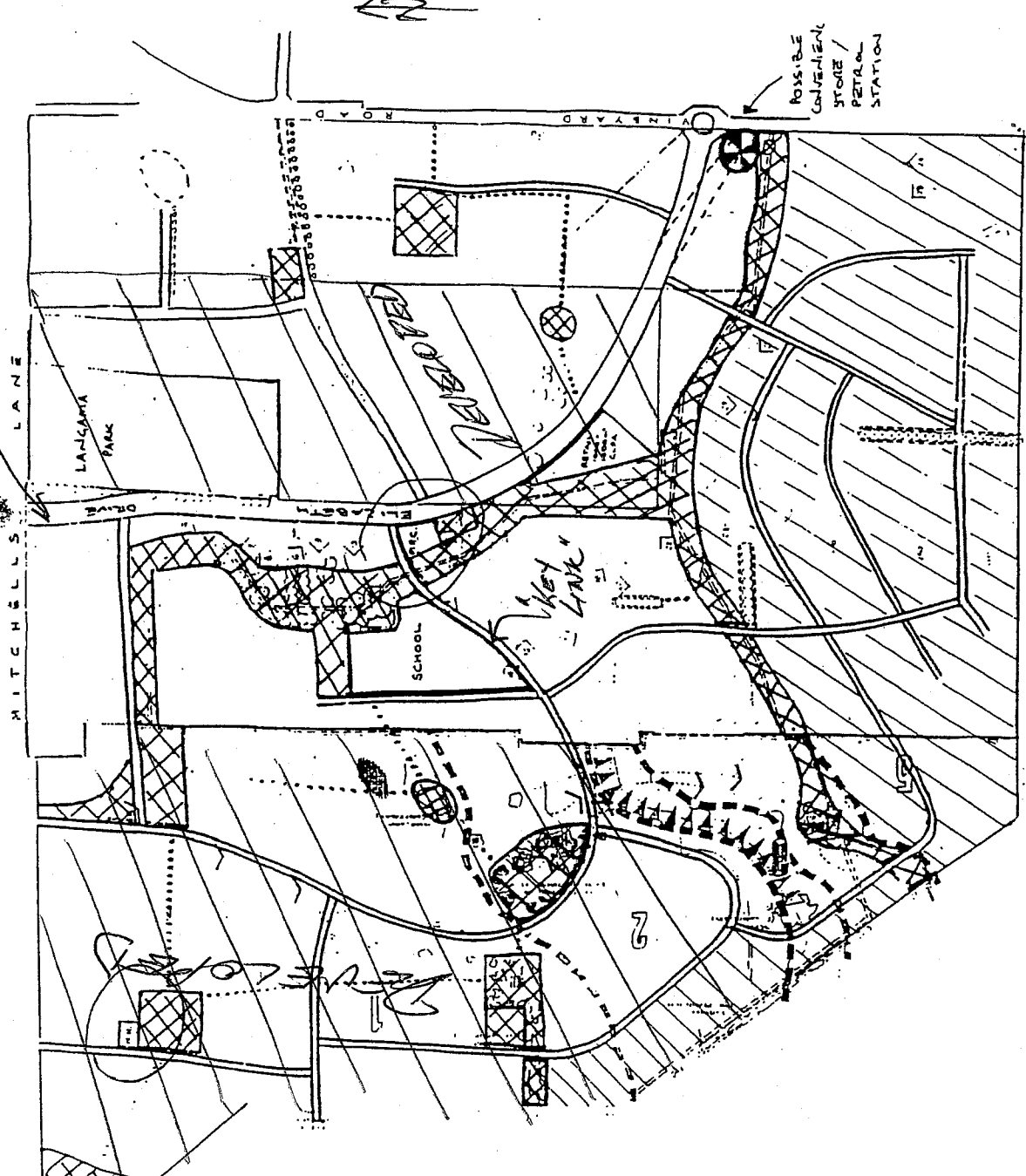
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SHEET 1 OF 1

CONSULTANT
 DRAWING No.
 03207

PROPOSED ARTERIAL LINK.

DRAFT PHYSICAL FRAMEWORK PLAN: MITCHELLS LANE AREA, SUNBURT



- N.H. NEIGHBOURHOOD HOUSE
- M.F.C MULTI FUNCTION CENTRE (COMMUNITY BUILDING)
- ////// LOW DENSITY RESIDENTIAL
- OPEN SPACE LINKS
- POSSIBLE OPEN SPACE
- ▣ OPEN SPACE
- APPROX 2000 HOUSEHOLDS

COUNCIL "FRAMEWORK" PLAN 1993
 (ADDED NOTES TO UPDATE)



CONTOUR PLAN - N.T.S.